

Ans. No sir; He would not repair fences or anything and I have to pay some one to help him do it.

5 x Int. How much fencing was built or repaired during the three years of his tenancy?

Ans. I think, in 1919 or 1918 he took the fence away from between the meadow and the barn field and he sold it and that I did not put any up for a year or two, and then he put up the fence and did not charge me any thing, for putting it up and I paid for sawing out and boring the posts. It was an old worm fence which he took away.

6 x Int. After April 1st, 1922, the time for settlement in the Agreement marked Exhibit No. 3, did you not then agree that the farm should be sold to Floyd for \$7000.00 and that the papers for the ratification of this sale by the Orphans Court should be prepared and were signed by the parties? (Excepted to)

Ans. We agreed to sell it; but he didn't buy it.

Re-Direct Examination

1st. R.D. What is the condition of the Barn on the farm in question?

Ans. I have not been in it for so long I can not tell; the roof seemed to be good when I was in last.

NOTE;- It is agreed by Council that the Examination shall be suspended till later)

(Adjourned to Thursday, July 20th, 1922)

Met pursuant to adjournment;

Present A.S. Brown Esq, and Mrs.

Flora E. Leatherman, Plaintiff- No. appearance, for the Defendant;

Plaintiff filed with the Examiner as evidence Tax receipt for 1920 & 1921 receipt for barbed wire \$35.00 receipt for E.C. Caver for \$37.24 (seed wheat & receipt of Elmer E. Shank for 47.85 for seed wheat.

Adjourned to Thursday July 27, 1922.

Met pursuant to adjournment and no appearance for any of the defendants, either in person or by Solicitor and no exhibits having been filed since the last meeting by the defendants showing receipts and expenditures of the farm in question, Mrs Leatherman is recalled for the purpose of having the Gen. Interrogatory purpounded to her which is done.

Gen. Int by the Exam.

Ans. Nothing further at present.

Flora E. Leatherman

Signed by the Examiner at the request of
of the Witness who says she cannot
write were this morning.

Adjourned to Sept. 23, 1922. Defendants Testimony.

Floyd Leatherman, (one of the Defendants) a witness of lawful age produced on the part of the defendant, being duly sworn and examined deposes and says as follows;-

1. Int. State your name, age, residence, occupation relative to this suit?

Ans. Floyd Leatherman, 40 years of age; reside near Myersville, in this County, I am a farmer and am one of the Defendants in this suit and am tenant on the property mentioned in these proceedings;

2. Int. How long have been tenant on this farm?

Ans. Nine or ten years.

3. Int. What arrangement, if any, have you made with the heirs of your father regarding the purchase of the property?

Ans. I have made the arrangement set farther in Exhibit No. 3 filed in this case as evidence.

4. Int. Have you had any other agreement of contracts with reference to the purchase of this farm?

Ans. No sir;-

5. Int. What was done with reference to the Contract?

Ans. It was not completed. I am ready to complete it at any time.